

CITY OF MENASHA

Council Chambers, 3rd Floor- 140 Main St., Menasha

140 Main Street, Menasha

February 19, 2007

MINUTES

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I. CALL TO ORDER

A.

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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Comments

Meeting called to order by Mayor Laux at 9:00 p.m.

II. PLEDGE OF ALLEGIANCE

A.

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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Comments

Moment of Silence for Mabel Becker, longtime City resident and business owner, who recently passed away.

III. ROLL CALL/EXCUSED ABSENCES

A.

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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Comments

PRESENT: Ald. Pack, Hendricks, Eckstein, Michalkiewicz, Chase, Merkes, Taylor, Wisneski.

Comments

ALSO PRESENT: Mayor Laux, CA/HRD Brandt, PC Stanke, DPW Radtke, CDD Keil, PRD Tungate, Comp/Treasurer Stoffel, Clerk Galeazzi, and the Press.

Comments

DEPT. HEAD EXCUSED: PHD Nett

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. [Common Council, 2/5/07](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Common Council Minutes, 2/5/07	Alderman Michalkiewicz	Alderman Wisneski	Passed
Motion carried on voice vote.				

Minutes to receive:

B. [Minutes to Receive \(1-6\)](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Minutes to Receive, 1-6	Alderman Michalkiewicz	Alderman Wisneski	Passed
Motion carried on voice vote.				

Communications:

1.

[League of WI Municipalities, 2/2/07, 2/9/07; Legislative Bulletin](#)

Item Action:
Approved 2.

[Public Works Facility, 2/6/07; Illegal Dumping Report for January 2007](#)

Item Action:
Approved 3.

[DPW Radtke, 2/2/07; Sump Pump Program Clear Water Cross Connection Separation](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Communication 1-6.	Alderman Michalkiewicz	Alderman Eckstein	Passed
Discussion: Ald. Wisneski - Comm. #4, thank Tom Franz, UW-Fox Valley for letter of apology.				
Comments				
Motion carried on voice vote.				

4.

[WI Dept. of Natural Resources, 1/30/07; Approval of application for Tree City USA](#)

Item Action:
Approved 5.

[Time Warner Cable Letter, 2/6/07; Notification of Programming Change](#)

Item Action:
Approved 6.

[Tom Franz \(UW Fox Valley\), 2/14/07; Letter of Apology](#)

Item Action:

Approved

V. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

Five (5) minute time limit for each person

A.

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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A. Stan Sevenich, 645 9th Street. Resolutions R-5-07 and R-6-07, things need to be done for Utilities to succeed.

VI. APPOINTMENTS

A. [None](#)

Item Action:
None

VII. CLAIMS AGAINST THE CITY

A. [None](#)

Item Action:
None

VIII. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Plan Commission:

1.

[CDD Keil, 2/15/07; Memo regarding recommendations \(INFORMATION ONLY\)](#)

Item Action:

None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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No Action Required.

2.

[2/6/07; Recommends approval of Easement Release - Natures Way](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Easement Release-Natures Way.	Alderman Merkes	Alderman Eckstein	Passed

Motion carried on voice vote.

3.

[2/13/07; Recommends approval of Special Use Permit for 313 Appleton Street as related to the proposed IFCO Systems crate manufacturing with the condition that dust suppression may be required for the](#)

[driveway/outdoor storage area by the Community Development Director should conditions warrant.](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve w/ Conditions	Special Use Permit for 313 Appleton Street as amended Motion carried on roll call 8-0.	Alderman Merkes	Alderman Eckstein	Passed
move	To amend with condition that outside lighting and noise levels relating to the business shall be monitored by Community Development Department. Motion fails on roll call 2-6. Ald. Taylor, Chase - yes. Ald. Merkes, Wisneski, Pack, Hendricks, Eckstein, Michalkiewicz - no.	Alderman Taylor	Alderman Merkes	Failed
move	To amend with condition that Appleton Street terrace be seeded. Motion carried on roll call 8-0.	Alderman Merkes	Alderman Hendricks	Passed

4.

[2/13/07; Recommends approval of the Special Use Permit for 1700 Appleton Road as related to the proposed Gold's Gym with the condition that a lighting plan and a color scheme for the EFIS on the building facade be submitted.](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve w/ Conditions	Special Use Permit for 1700 Appleton Road Motion carried on roll call 8-0.	Alderman Merkes	Alderman Hendricks	Passed

5.

[2/13/07; Recommends approval of Certified Survey Map - Woodland Hills Drive](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Certified Survey Map - Woodland Hills Drive Motion carried on voice vote.	Alderman Merkes	Alderman Hendricks	Passed

B. Administration Committee:

1.

[License: "Class B" Application of Christopher Donner, d/b/a The Vault, for the premises at 175 Main Street, for the 2006-2007 licensing year](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Class B Liquor License for Christopher Donner, d/b/a The Vault, 175 Main Street	Alderman Eckstein	Alderman Michalkiewicz	Passed
Motion carried on voice vote.				

2.

[Recommendation from the Park and Recreation Board, 2007 Fees and Charges for Parks and Recreation Services](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	2007 Fees and Charges for Parks and Recreation Services.	Alderman Eckstein	Alderman Wisneski	Passed
Motion carried on roll call 8-0.				

3.

[Recommendation from Park and Recreation Board, 2007 Parks and Recreation Reciprocity Agreements with City of Neenah, City of Appleton and Town of Menasha](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	2007 Parks and Recreation Reciprocity Agreements with City of Neenah, City of Appleton and Town of Menasha	Alderman Eckstein	Alderman Michalkiewicz	Passed
Motion carried on roll call 8-0.				

4.

[Recommendation from Parks and Recreation Board, \\$45 Fee Reduction for Jazzfest Event, Aug. 31, 2007-Sept. 2, 2007 at Jefferson Park \(per Council approved policy\).](#)

Item Action:

Tabled

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
move	To table \$45 Fee reduction for Jazzfest.	Alderman Wisneski	Alderman Eckstein	Passed
Motion carried on roll call 8-0.				

5.

[Donation to 2007 Memorial Day Parade](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Donation to 2007 Memorial Day Parade	Alderman Eckstein	Alderman Michalkiewicz	Passed
Motion carried on roll call 8-0.				

6.

[Consideration of Bid Documents for Fourth of July Fireworks](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Bid Documents for Fourth of July Fireworks.	Alderman Taylor	Alderman Michalkiewicz	Passed
Motion carried on roll call 7-1. Ald. Eckstein - no.				

7.

[Contract with Konicek Environmental Consulting LLC for 87 Racine Street, and authorized signatures](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Contract with Konicek Environmental Consulting LLC for 87 Racine Street.	Alderman Eckstein	Alderman Michalkiewicz	Passed
Motion carried on roll call 8-0.				

8.

[Accounts payable and payroll for the period of 2-8-07/2-15-07 for the amount of \\$3,889,648.92](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
move	To sever check #11434 to RW Management from rest of accounts payable and payroll.	Alderman Wisneski		
approve	Remaining accounts payable and payroll.	Alderman Eckstein	Alderman Wisneski	Passed
Motion carried on roll call 8-0.				
approve	Check #11434 to RW Management.	Alderman	Alderman	Passed

Motion carried on roll call 6-2. Ald. Taylor, Pack, Hendricks, Eckstein, Michalkiewicz, Chase - yes. Ald. Merkes, Wisneski - no.

C. Board of Public Works:

1.

[Request Authorization to Execute Intergovernmental Agreement for Educational Efforts about Recycling, Wisconsin DNR 2008 Recycling Efficiency Incentive Grants](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Authorization to Execute Intergovernmental Agreement for Educational Efforts about Recycling, Wisconsin DNR 2008 Recycling Efficiency Incentive Grants	Alderman Taylor	Alderman Pack	Passed

Motion carried on roll call 7-1. Ald. Merkes - no.

2.

[Request Authorization to Execute Amendment to Waverly Sanitary Sewer Discharge Agreement](#)

Item Action:

Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Authorization to Execute Amendment to Waverly Sanitary Sewer Discharge Agreement.	Alderman Taylor	Alderman Pack	Passed

Motion carried on roll call 8-0.

IX. ORDINANCES AND RESOLUTIONS

A. [O-4-07 - An Ordinance Relating to Controlled Intersections \(Southfield and Deerhaven\)](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

No Action.

B. [O-5-07 - An Ordinance Relating to Controlled Intersections \(First and Appleton\)](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

No Action.

C. [R-5-07 - A Resolution Pertaining to Payment of the Interest for the Steam Utility](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
move	To amend R-5-07 To Add - BE IT FURTHER RESOLVED that the following information shall be provided to the Menasha City Council by on or before the March 5th Council meeting: 1. Full accounting of Fund balances in the operational Account & Reserve Fund from the November 28, 2006 refinancing to date. 2. A full itemized accounting of all operational expenses (including salary and benefits) and revenue from November 28, 2006 refinancing to date. 3. Records pertaining to bonding principal and interest costs from the November 28, 2006 refinancing and projections for the 2007 fiscal year. 4. Status of repayment to the City of the approximately \$1 million advanced to the Steam Utility by City taxpayers. 5. How the reserve fund will be replenished. 6. Any other documents or records requested by the City Council	Alderman Merkes	Alderman Hendricks	Passed
Motion carried on roll call 8-0.				
adopt	R-5-07 as amended	Alderman Michalkiewicz	Alderman Pack	Passed
Motion carried on roll call 8-0.				

D. [R-6-07 - A Resolution Pertaining to Capital and Maintenance Projects at the Steam Plant](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
adopt	R-6-07 with the correction the Menasha Utilities be added in the second BE IT RESOLVED THAT.	Alderman Michalkiewicz	Alderman Pack	Passed
Motion carried on roll call 8-0.				

X. HELD OVER BUSINESS

A. [Request for Proposal for 4th of July Fireworks-Ald. Taylor \(Held 2/5/07\)](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Request for Proposal for 4th of July Fireworks and send to Spielbauer Fireworks Co., Five Star Fireworks, Bartolotta Fireworks, and Central States Fireworks.	Alderman Taylor	Alderman Merkes	Passed
Motion carried on roll call 5-3. Ald. Merkes, Taylor, Wisneski, Pack, Hendricks - yes. Ald. Eckstein, Michalkiewicz, Chase - no.				

XI. COUNCIL DIRECTIVES

A. [CA/HRD Brandt - Update on PCI Litigation](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			
CA/HRD Brandt reported nothing new to report; still waiting on a date for the arbitration.				

B. [CA/HRD Brandt - Status of SCA's request for tax exemption \(Ald. Eckstein\)](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

CA/HRD Brandt reported Atty Horowitz has a meeting with the Dept of Revenue on the issues with the Cites of Green Bay and DePere. He will arrange to have the City of Menasha's Assessors at the meeting. The Alliance of Cities has drafted a bill to be introduced to the Legislature. Legislation can trigger a resolution providing the City's position.

- C. [CA/HRD Brandt - Update on Heckrodt Annexation \(Ald. Chase\)](#) Item Action: None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

CA/HRD Brandt reported he is waiting on a report from the Dept. of Administration. He is expecting to receive it sometime after Feb. 20. The petition will be prepared and filed this week. He should have an ordinance ready for the next meeting.

- D. [CA/HRD Brandt - Status of Gatehouse Property \(Ald. Hendricks\)](#) Item Action: None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

CA/HRD Brandt reported he is preparing the documents to remove the 25 feet of the Gatehouse property from the Condominium Association's property. He will need to get the documents approved by the Condominium Association.

- E. [Clerk Galeazzi & IT Supervisor James - Discuss Novus Agenda \(Ald. Eckstein\)](#) Item Action: None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

Clerk Galeazzi reported the new Novus Agenda program is in the early stages. Staff is continuing to make changes with each Council packet to make it the most useful. It will be a learning process for both staff and council members.

- F. [Clerk Galeazzi - Council packet availability at Menasha Public Library \(Ald. Hendricks\)](#) Item Action: None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

Clerk Galeazzi reported a complete paper Council packet is available at the Library for viewing by residents. The agendas and packets are also viewable on the City Website.

- G. [CDD Keil - Status of 535 1st St. \(Ald. Taylor\)](#) Item Action: None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

CDD Keil reported he is waiting for the final documents from Winnebago County Corporate Counsel.

- H. [CDD Keil - Update on Comprehensive Plan \(Ald. Merkes\)](#) Item Action: None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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Comments

CDD Keil reported a memo from AP Beckendorf was submitted to the Council updating the status of the comprehensive plan. The consultants, Foth & Van Dyke, estimate the plan to be ready for public review by mid-summer of this year.

I. [CDD Keil - Update on Gilbert Paper Mill \(Ald. Taylor\)](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

CDD Keil reported a lot of work has gone into this project. Paperwork for grants have been submitted to Dept. of Commerce. Grant funds are available until June, 2007. Current owners had some work done on the existing buildings and asbestos was discovered. They have worked through that issue. They are working on a development agreement for a project.

J. [CDD Keil - Update on 81 & 87 Racine St. \(Ald. Taylor\)](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

CDD Keil reported he has contacted the phone company regarding the telephone pole between the two properties. He has not heard back from them yet.

K. [CDD Keil - Status of grocery store \(Ald. Taylor\)](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

CDD Keil reported the proposed operator has some concerns with the current market conditions, so he has decided to withdraw at this time. The developers have renewed their option with the owners of the building and working on getting another project for the site.

L. [CDD Keil - Lighting at Stone Toad \(Ald. Chase\)](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

CDD Keil reported staff reviewed the original outside lighting plan that was submitted by the owners of the Stone Toad Bar-Grill. The building inspectors checked out the outside lighting and discovered the light level was more than twice what the original plan indicated. The owners have until March 1 to correct the lighting.

M. [CDD Keil - Status of theater project \(Ald. Hendricks\)](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

CDD Keil reported a final inspection is expected to take place by the end of the month.

N. [CDD Keil - Update on Larsen Engineering Study \(Ald. Wisneski\)](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

CDD Keil reported the plan was to engage a company to do soil borings for four different areas of the City. Soil boring was just completed at site of the new fire station. Should have completed by end of March.

O. [DPW Radtke - Status of hedge at 4th St. and Konemac St. \(Ald. Hendricks\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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DPW Radtke reported there is a vision control problem on corner of Konemac and Fourth streets with the hedges being too high. Notices have sent to the owners of the property and they have until Feb. 23 to correct the situation.

P. [LD Saecker - Status of sign at Menasha Public Library \(Ald. Merkes\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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LD Saecker reported the Library Board is working on finalizing the design of the sign. The Council's concerns have been told to the Library Board. The Board has decided to go with the digital message center and it will be located in front of the Library on Racine Street. It is estimated the cost to be in the range of \$25,000.00. Some fundraising will need to be done.

Q. [PRD Tungate- Update on Army Reserve Building at Jefferson Park \(Ald. Merkes\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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PRD Tungate reported he has spoken with representatives from the Dept. of Army and Congressman Petri's office. He has been given verbal reports that the Army will be vacating the Reserve Building in 2008. However, he would like this in writing. He also needs to find out who will be the contact person from the Dept. of the Army.

Comments

NEXT AGENDA - Ald. Hendricks: 1) Sister City Flag; 2) Status of Gatehouse property. Ald. Taylor: 1) Status of 535 1st Street; 2) Status of 81 and 87 Racine Street; 3) Status of Grocery Store; 4) Portable sign on corner of Konemac and Plank Road. Ald. Chase: 1) Heckrodt Wetland Reserve Annexation; 2) Outside lighting at Stone Toad. Ald. Eckstein: Condition of apartment complex on corner of 7th and Melissa Street.

XII. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda - five (5) minute time limit for each person)

A. [None](#)

Item Action:
None

XIII. ADJOURNMENT

A. [Adjournment](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
move	To adjourn at 10:28p.m.	Alderman Taylor	Alderman Pack	Passed

Motion carried on voice vote.

Comments

Comments

Comments

Respectfully submitted by Deborah A. Galeazzi, City Clerk

